

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA,  
NORTHERN DIVISION

Richard Wayne Wright, Sr. \*  
Plaintiff, Pro-Se. \*  
VS- \* Civil Action No.  
Sylvester Nettles, et. al. \* 2:05-CV-439-A-WO  
Defendants. \*  
\*

Motion For A More Definite Statement

Comes Now, I Richard Wayne Wright, Sr., Plaintiff, Pro-Se., in the above style to demonstrate to this Honorable Court as best he could the Facts he made known in his Complaint and amend Complaint. Plaintiff did not have his Complaint in the Form of Defendant's Counsel(s) most professional Forms and manners. For such reasons plaintiff shall make this attempt for a more define or definite statement based on those Facts plaintiff made in (his) "initial Complaint", "amend Complaint" and "Motion To prevent the use of psychotropic medication upon plaintiff." Plaintiff shall show the elements as following:

- 1). A Substantial likelihood on Success on the merits;  
Plaintiff could not possibly show the

Success and/or the likelihood of such success without receiving certain documents within [his] prison files (e.g. documents from doctor diagnosis, documents showing what treatment they recommended and/or the <sup>R.W.W.</sup> actual treatment given by mental Health Management (M.H. M.) team, ect.). Defendants must clearly show by and through [their] documentation written and (said) orally which clearly states the reasons [they] used psychotropic medication upon plaintiff at (said) times. Defendants has fail to submit all said documents. The documents should show, what specific psychotropic medication was recommended, that which was given, the amount given, how often it was given, all such times it was given the dates such medication was given and the form (pill(s) or injection(s)) at such (said) time(s) [they] were given to plaintiff. Some of these documents plaintiff Wright has receive and some of them [he] has not, which are pertinent to the support of plaintiff claims and for such reasons plaintiff has filed for "production of documents" for those specific documents defendants and/or defendant counsel(s) left out. Plaintiff is very concern for his well being and life for plaintiff knows not when Defendants shall execute another attack

to prevent [him] From litigating this case. Stress has become an every day acquaint of Plaintiff, due to remembrance of what [those] defendant(s) had done to plaintiff in June 2001 prior to the evidentiary hearing scheduled in October 14, 2001 of that same year of inducing plaintiff with mind altering drugs to stop(his) ability to precede Farther (well it is plain to see) defendants were successful at that time. Apparently defendants are not willing to take a chance on the proceeding of this case getting that far and has begun to execute attacks, [their] most recent one on November 23, 2005. It was not enough difficulties defendant's Dowling, Sgt. Carter and Sgt. Longmire had placed on plaintiff by and through the use of Officer Abercrombie (law library officer) and some of [their] workers. The attack plaintiff encountered on November 23, 2005 was approximately seven (7) days after plaintiff receive the main part of defendant response with the largest part of the documents plaintiff needed to substantiate (his) claim). And to cover [their] actions as best [they] could they placed three (3) discipl<sup>P.W.W</sup>in<sup>aries</sup> upon plaintiff with one (1), officer Levy Richardson became willing to falsify a statement alleging plaintiff assaulted

[him] before and after restraints were placed on plaintiff to shift the blame off [them] on to plaintiff WRIGHT. Surely, defendant(s) know's plaintiff success on the likelihood of success on the merits would be damage, if not demise if plaintiff was hurt in a way he could not possible litigate this case. Plaintiff is so grateful for (his) higher power "who" did not permit defendant's malicious acts and attack to be imposed upon plaintiff to the full extent defendant intended.

(2) A substantial threat of irreparable harm if the injunction is not granted;

Plaintiff Wright's knows from past experience the effects (the inability to properly clarify his thoughts) from the psychotropic drugs [he] was given prior to the evidentiary hearing in October 2001. The psychotropic drugs administered into plaintiff body coupled with the short notice of defendant's 'Motion' suggesting mootness impaired plaintiff significantly. Plaintiff receive defendant's 'motion' suggesting mootness on October 14, 2001, evening, at legal mail call at Kilby Correctional Facility (K.C.F.). This short notice along with the drugs in [his] body made it impossible for plaintiff to understand the motion, but most importantly

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Plaintiff in competency. The Judge ask some man (plaintiff believes it was the defendant's Counsel) which stood close to defendant's L.W. Robbins could help me with what I was trying to say. I'm not sure what "that" man said but as a result of plaintiff being incomprehensible plaintiff evidentiary hearing was dismissed and the case alike. Plaintiff efforts to show and assert the fact left in array and none of the relief plaintiff was seeking was granted. Now due to the defendant's acts implemented upon plaintiff (induced with psychotropic medication) the contents of the information plaintiff was challenging remains in plaintiff prison file along with the other labels defendant(s) and defendant's agents has attach to plaintiff. The language, the label(s) and the disciplinarys along with these defendant's newly arrange labels / language / information, which appears unfavorable to plaintiff in the eye's of such person(s) able to grant plaintiff an earlier release date. That of his initial sentence (P.S.I. report) has been used to forbid plaintiff earlier release and plaintiff believe's these labels / language and disciplinarys shall continue to be used to place plaintiff at a disadvantage against any

Fair or Favorable parole "granting". Plaintiff was informed by Mr. M. Bruton when [he] was taken to Mr. Bruton by Lt. J. Dowling after plaintiff requested Protective Custody (P.C.) as Mr. Bruton put it "I'm going to do what ever I can to make sure you don't make parole". It is impossible for plaintiff to reconcile or appease these defendant's. This harm thus far, truly has gone irreparable and plaintiff truly believes and knows from defendant's past malicious and capricious acts exhibited upon [him] that as much effort plaintiff shall exert to bring out and/or assert the facts of [his] claims defendants will (if not restrained in some manner by this Honorable Court) use [their] means of interrupting plaintiff litigation process again. Defendant's past activities (to cause plaintiff physical and mental harm and/or promote and/or allow plaintiff to be subjected to potential harm) which began approximately June 2001 has intensified with in this last year. The attack plaintiff faced in the Segregation (Seg.) Unit at Kilby Correctional Facility (K.C.F.) by the (Seg.) officer 'who' force plaintiff to signed the disciplinary. He came into the Seg. Cell after wards (because

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plaintiff would not stop praising [his] higher "Power" for [his] protection and sustaining power) with his co-worker. Plaintiff was grateful that [he] only sustain minor injuries at the hands of the pursuer - inmate Samuel Jones. Never theless Plaintiff was equally grateful for the assistance of the aggressive officer "Co-Worker" which stop him from hurting me or me from hurting him and escorted that officer out of the seg. cell without further injuries to plaintiff. The attack plaintiff faced by Sgt. Strickland in the infirmary lobby at Bullock Correctional Facility (B.C.F.) in August 2002 was minor in comparison to that which plaintiff faced at Ventress Correctional Facility on November 23, 2005 by the hands of Sgt. Carter (CO.II), Officer R. Brown (CO.I), Officer L. Richardson (CO.I) (assisted in placing restraint's) and the Forth (4th) officer not yet identified. Plaintiff mention in [his] Complaint "how" in brief description "those" past disciplinary came about concerning him and briefly "how" the defendants and defendant's agents swayed from the Administrative Regulation's (A.R.) # (403) and (404) in order to impose the said disciplinary's. The Alabama Department of Correction (A.D.O.C.)

OFFICIALS are govern by the (A.R.) #  
 (403) and (404) and are to abide by  
 such procedures when there are in-  
 stitutional Rules Violations (I.R.V.)  
 stated to have occurred and a dis-  
 ciplinary Form was submitted. The ~~harm~~<sup>R.W.W.</sup>  
 harm defendants has cause plaintiff  
 can be seen at the bare sight of any  
 viewer of plaintiff prison file con-  
 cerning the disciplinary and evidence  
 of the set backs as well. Not to ex-  
 clude the label's defendant's has placed  
 on plaintiff (e.g. Sex Offence / Offender  
 per (pre-Sentence investigation Report)  
 mentally ill / non-compliance with de-  
 fendants recommended medication "psy-  
 chotropic", ect.). Surely, as the past  
 has left record, once plaintiff begins  
 to attach his stated facts with supported  
 documents and general logic of de-  
 fendants acts, conduct or misconduct,  
 neglect of plaintiff health care treat-  
 ment, conspiracy, Breach of oath, Shown  
 Cruel and unusual punishment / treatment,  
 deliberate indifferent, equal protection vio-  
 lation, ect, plaintiff is very likely to face  
 another attack by prison officials. Once  
 the facts of plaintiff Complaint begins to  
 unfold and it becomes more readily under-  
 stood and obvious to this Honorable Court  
 that the defendant's did in fact act accordingly,



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It is a "Wonder" what the defendant shall do to plaintiff. Defendants and/or defendant's Counsel(s) would have this Honorable Court to believe plaintiff thought's are only preconceived and are not possible and are not real. Then it must be equally said the attack(s) plaintiff has faced in the past along with the labels and language used against plaintiff are not real and are not possible as well as the effects and pain plaintiff encounter from such acts and actions. Any belief in this manner would be far from the truth. Plaintiff may appear paranoid and may even exhibits signs of paranoia at times, this is difficult to explain, impossible to avoid or prevent due to anxiety conflicting with uncertain expectation. Ultimately defendants seek to preserve [their] most known, undetectable means of control, if need (the use of psychotropic drugs) to prevent the plaintiff from revealing [their] injudicious and injurious acts of manifested injustice. Performed and exhibited by [them] and [their] remotest means of effecting plaintiff capacity to think for himself while litigating this case. Defendants would never willingly acknowledge intercepting plaintiff legal mail both out going and incoming, yet recently his legal mail has been open again upon arrival of the de-

delivering OFFicer while plaintiff is pre-  
 sently being housed in the infirmary  
 in disciplinary / Seg. status. When plain-  
 tiff mention this OFFicer White inter-  
 jected [her] thought and emphasized [she]  
 did not open it, yet the delivering OFFicer  
 never gave plaintiff a reason or cause  
 why the mail was open prior to [him]  
 receiving it. Plaintiff never question or  
 accused OFFicer White of opening the mail  
 so I <sup>R.W.W.</sup> don't know exactly 'why' she answered  
 as she did. Plaintiff have learn from the  
 past prison health services (P.H.S.) employee(s) /  
 defendant(s) must obey the orders of the  
 OFFicers to prevent [themselves] from appearing  
 to create a security hazard even when  
 it means plaintiff won't get the treat-  
 ment or medication needed for (his)  
 health care. Defendant J. Bailey, OFFicer  
 M. Foster, and OFFicer H. Ruffin impeded  
 into the need of plaintiff to receive his  
 medication while plaintiff was housed  
 in the Seg. Unit at Bullock Correctional  
 Facility (B.C.F.) approximately November 3,  
 2004 thru February 2005. On numerous  
 occasion these named OFFicers had order  
 the nurses not to give plaintiff his  
 medication and by slamming the Food  
 tray door which is the passage way [he]  
 had to receive such medication and told  
 them I refuse which are "their" justifying

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remedy the officer's used so that the nurse's records in plaintiff File "refuse medication". officer Bailey, officer Foster and officer Ruffin are / were more concerned about the inmates in the seg. cells looking through the sides of the lock cell doors at the female nurse's rather than [they] were about me receiving the proper attention and treatment from the nurse's to plaintiff for the sake of "better health".

It is still puzzling to plaintiff which party makes mental health prognosis the Classification Specialist or the Mental Health Management (M.H.M.) team. Reason for plaintiff confusion in this instance is basically the (M.H.M.) team prognostic decision was one thing and the Classification Specialist defendant S. Seals was another. If and once the document's are presented by the defendant's in which plaintiff requested [they] then may show 'how' defendant S. Seals recommended / placed labels of 'mental ill' that (M.H.M.) team annulled prior to [they] acts. Now not only do plaintiff still have these labels / information attach in [his] prison file (which are used) to grant parole, but in plaintiff case 'they' used it to deny him parole, forbid [him] transfers to lesser restricted camp,

take away even simple, yet meaningful benefits that permitted plaintiff to go outside the prison (fenced in) perimeter by and due to the parole board decisions of not only denying plaintiff parole, but more so setting plaintiff next parole consideration date/hearing five (5) years away from the date plaintiff was denied August 16, 2004. At the time plaintiff was incarcerated three (3) years were the set off date. Defendant's has went beyond the parole guidelines applied at the time of (his) initial incarceration without retroactive respect.

Thus far, defendant have willingly and knowingly violated plaintiff equal protection rights. These prison officials are govern as a government agency and knows or should have know the equal protection laws and clauses both local (City, town's and/or Counties) and state side. Defendants and/or defendant's Counsel(s) would have this Honorable Court to believe 'there' is no substantial <sup>R.W.W.</sup> ~~trial~~ threat, the irreparable harm "already" plaintiff suffered and suffers is not likely to <sup>R.W.W.</sup> ~~be~~ reoccur. Once these defendant (take note again) that the statements in plaintiff Complaint ~~is~~ regard to all these claims are becoming

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Self explanatory based on Supporting documentation re-occurrence of ill treatment from defendants are likely to occur. Plaintiff Claims are in Fact Self-evident -- revealed to this Honorable Court the defendants and defendant's agents are likely to Force psychotropic medication upon plaintiff Wright again. Defendant's and their agents has Force medication "psychotropic" upon plaintiff at Kilby Correctional Facility (K.C.F.) In June thru August of 2001 without affording plaintiff a due process hearing or a notice for such use of drugs. Defendants would have this Honorable Court to believe such reservation is for plaintiff safety and other inmate's and officials staff, this is far from the truth. It in reality maybe for the security (Job security) of the defendants to interrupt any further truth plaintiff may reveal of their malicious acts and retaliatory motives. For the safety of other inmate's "who" had plaintiff put in danger or threaten upon their first use of psychotropic drugs, no one. Allegedly for plaintiff safety, never!

Here Fore, plaintiff motion for the injunction which was denied because of plaintiff lack of definite ex-

plaintiff is earnestly ask by plaintiff to be reconsidered and granted. For the threatening harm to plaintiff out weighs any harm or possible harm cause by plaintiff upon defendants in the past by this Honorable Court not granting plaintiff wright 'motion' (Forbiding defendant use of psychotropic drugs) has even increase defendants threat of psychotropic drug use upon/ into plaintiff body. The substantial likelihood of more irreparable harm being subjected to plaintiff for (him) to suffer along with the threatening harm (he) is now facing because of this Honorable Court denying plaintiff 'motion' for injunction. For such cause plaintiff ask this Honorable Court to reconsidered its decision, Consider plaintiff 'definite statement' and grant an injunction at the most earliest date this Honorable Court deems fit. This cover elements two (2) and three (3).

(4). the public interest will not be deserved by the grant of a preliminary injunction;

This Fourth (4th) element is the most complex for plaintiff to describe for one (1) simple reason it depends upon two (2) principals yet it's one (1) element "the public interest deserved"



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and that depends mainly on what side of the track one (1) individual is standing on when this Fourth (4th) element is to be applied. The two (2) principal's (that of the defendant's principles based on the public interest deserved) or (that of the plaintiff's interest deserved as a (part) of the public in which such interest is deserved) but plaintiff shall do (his) best to demonstrate and/or described this Fourth (4th) element. Plaintiff Wright's believes (himself) to be part and partial of this said public. The interest plaintiff has as part of the public relates to the right's of inmate (s), which to include; we are not totally strip of our rights to fair and humane treatment, right's to petition the Court's (absent of threats) without fear of death or harm, right's to a hearing before a probate Judge before person(s) are force to psychiatric treatment, etc. For there is no iron curtain drawn between those which are incarcerated and the Constitutions of this (said) government and Country, yet plaintiff understands (in part) the language of such exercise of (his) right's may vary from situation to situations. This leads plaintiff to the Ultimate Question he

must try and answer For this Honorable Court to Consider Such a question. And the answer that Follows in [its] decision to reconsider and grant plaintiff Wright's (said) 'motion' For a preliminary injunction. To be issued For the safety, security and stability of the (said) plaintiff to sustain [his] rights. Question -- Does plaintiff Wright deserve the public's interest (which in the Case is [him] being abled -- Continually to properly litigate these Court proceeding) while under the Care of the (A.D.O.C.) officials? Answer-- Plaintiff believes [himself] to be a part of the public, and should have the same protection afforded available to [him] as those "who" or "whom" are also incarcerated and Comitted Crimes of Violence. It is general Knowledge many other inmates have been in physical Confrontation "Fighting" even some have been Found with prison made Knives, yet [they] have went without threats, Testures of intimidation, Coercion, ect. Due to plaintiff petitioning the Courts For violation of [his] Constitutional rights (as describe in his Complaint) [he] has been harm physically and

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mentally by other inmates and officer's alike. How could plaintiff Wright possibly continue to litigate this case if they is induced again (by defendants) with psychotropic drugs, is a wonder unto him. Defendants must be curbed from their malicious and arbitrary acts and action implemented to stop plaintiff access to the courts. If this Honorable Court does not use some type of restraining measures plaintiff is very likely to face re-occurrences used (by defendants) of psychotropic drugs, Fraud, assault by other inmates and officers without them being responsible for what they have done. As defendants most recent ~~retal~~<sup>R.W.W.</sup> retaliatory means to stop and/or interrupt plaintiff ability to respond to the defendants answer was committed on November 23, 2005 as mention in plaintiff motion to this Honorable Court which said motion was denied on January 5, 2006. Plaintiff for such reason(s) as this Honorable Court has decided that plaintiff file a new 42 USC 1983 for defendant's agents / defendant(s) action as an isolated incident when in ~~reality~~<sup>R.W.W.</sup> reality this act was an act of retaliation

by defendants to hinder and if possible stop this suit plaintiff has Filed against them.

Here after, plaintiff awaits defendants next strategic <sup>move</sup> <sup>R.W.W.</sup> and proceeds with caution, but in like manner plaintiff places [his] greatest amount of expectation upon this Honorable Court to set some type of standard for the defendant, to ensure plaintiff safety and life from physical harm and preserved plaintiff right to petition the Court with out interruption on defendants part.

### Conclusion

Defendants have made evident (to plaintiff) that they will stop at nothing to bring suffering upon him for initially challenging [their] Judgment, but in essence that not what plaintiff intended. Plaintiff only intended to have information in a (P.S.I.) report in his prison file with false allegation in it abstracted and/or expunge from [his] prison file, which would and did prejudice [him] from any favorable benefits (e.g. lesser restricted custody, earlier release - parole, etc.). As a result plaintiff faced more re-

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taliation From defendant's by their  
 recent attack he suffered with in-  
 juries. More False allegation inserted in  
 this prison file from disciplinary's placed  
 on him as a consequence of their acts  
 on November 23, 2005, along with other  
 newly arrange labels applied to further  
 incriminated him. Plaintiff ask according  
 to Fed. R. Civ. Proc., Rule (21) defendant S.  
 Carter, Roosevelt Brown and Leroy Richard-  
 son be served and proceeded with separately.  
 As a result of most recent assault  
 plaintiff faced on November 23, 2005  
 Rule 24(a) Fed. R. Civ. Proc. should be  
 applied due to plaintiff failure to file  
 a objection to Magistrate Judge recom-  
 mendation to dismiss defendants in  
 its order pass down on 30th day of  
 November 2005. Due to plaintiff injuries  
 the encounter on November 30, 2005. It  
 was an oversight on this part do to  
 the pain the was suffering and Rule  
 61 should apply. In accord to Rule 9  
 (b) (c) plaintiff should be allowed to  
 file an <sup>R.W.W.</sup> objection to Magistrate Judge  
 order listed above pass down on 30th  
 day of November 2005. IF this motion  
 is not in proper form plaintiff ask that  
 this Honorable Court construed it into  
 its proper form for processing.

Relief Sought

Plaintiff seeks this Honorable Court ap-  
 pliance of an injunction Forbidding psy-  
 chotropic medication. Grant plaintiff  
 a reasonable amount of time to file  
 an objection to the magistrate Judge  
 recommendation to dismissed the said  
 defendant's in this order pass down  
 November 30th 2005. Also the Senior  
 Judge order maybe with drawn to  
 permit such granting of time in  
 which this order was pass down on  
 the 4th day of January 2006. A pro-  
 tection order be placed upon S. Carter  
 (Co.II) and Ofc. R. Brown (Co.I) those  
 named who actually ingage pain  
 and injury on plaintiff on Novem-  
 ber 23, 2005. Any and all other relief  
 this Honorable Court deems approi-  
 ate in which plaintiff has shown  
 himself intitled to.

Done this the 9th day of  
 January, 2006.

RespectFully Submitted,

Richard W. Wright Sr.

Richard Wayne Wright Sr.  
 A IS # 18740



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Certificate of Service

I Richard Wayne Wright Sr. hereby  
Certify that on this 9<sup>th</sup> day of  
January, 2006, I have Filed this Motion  
with the Clerk of the Court and ask  
due to plaintiff indigent status that  
this Honorable Court and/or Clerk For-  
warded a copy of this motion "Motion  
For a more DeFinite Statement" to be  
Served upon the Following by placing  
a copy of the same in the United States  
Mail Box at Ventress Correctional Facility  
by (hand delivery) to the officer on duty.  
First Class postage prepaid and pro-  
perly addressed this 10<sup>th</sup> day of  
~~December~~ <sup>R.W.W.</sup> ~~2005~~ January, 2006:

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ASB-2411-H676

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